

Issued in Kansas City, Missouri, on May 8, 1996.

Henry A. Armstrong,
*Acting Manager, Small Airplane Directorate,
Aircraft Certification Service.*

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14 CFR Part 39

[Docket No. 90-CE-63-AD; Amendment 39-9622; AD 96-10-15]

RIN 2120-AA64

Airworthiness Directives; The New Piper Aircraft, Inc. (Formerly Piper Aircraft Corporation) Models PA31, PA31-300, PA31-325, and PA31-350 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment supersedes Airworthiness Directive (AD) 80-14-06, which currently requires the following on The New Piper Aircraft, Inc. (Piper) Models PA31, PA31-300, PA31-325, and PA31-350 airplanes: repetitively inspecting the outboard flap tracks, wing rib flanges, and the rear spar web at Wing Station (WS) 147.5 on each wing, and modifying the area at WS 147.5 on both wings if any cracks are found as terminating action for the repetitive inspection requirement. The Federal Aviation Administration's policy on aging commuter-class aircraft is to eliminate or, in certain instances, reduce the number of certain repetitive short-interval inspections when improved parts or modifications are available. This action retains the repetitive inspection requirement of AD 80-14-06, and requires modifying the area at WS 147.5 on both wings as terminating action for the repetitive inspection requirement. The actions specified in this AD are intended to prevent structural failure under certain load conditions caused by cracked areas at WS 147.5, which, if not detected and corrected, could result in loss of control of the airplane.

DATES: Effective June 27, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of June 27, 1996.

ADDRESSES: Service information that applies to this AD may be obtained from The New Piper Aircraft, Inc., Customer Services, 2926 Piper Drive, Vero Beach, Florida 32960. This information may also be examined at the Federal Aviation Administration (FAA), Central

Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 90-CE-63-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT:

Christina Marsh, Aerospace Engineer, FAA, Atlanta Aircraft Certification Office, Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748; telephone (404) 305-7362; facsimile (404) 305-7348.

SUPPLEMENTARY INFORMATION:

Events Leading to the AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to Piper Models PA31, PA31-300, PA31-325, and PA31-350 airplanes was published in the Federal Register on December 7, 1995 (60 FR 62779). The action proposed to supersede AD 80-14-06 with a new AD that would (1) retain the requirement of repetitively inspecting the outboard flap track, wing rib flanges, and the rear spar web at WS 147.5 for cracks, and, if any cracks are found, modifying the area at WS 147.5 by incorporating Piper Kit 763 986 as terminating action for the repetitive inspection requirement; and (2) require incorporating Piper Kit 763 986 at a specified hours TIS time-period for airplanes where no cracks were found during the inspections as terminating action for the repetitive inspection requirement. Accomplishment of the modification would be in accordance with the instructions included with Piper Kit 763 986, Revised April 15, 1991, as referenced in Piper SB No. 647A, dated November 24, 1980.

Interested persons have been afforded an opportunity to participate in the making of this amendment. No comments were received on the proposed rule or the FAA's determination of the cost to the public.

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

Cost Impact

The FAA estimates that 2,906 airplanes in the U.S. registry will be

affected by this AD, that it will take approximately 30 workhours per airplane to accomplish the required modification, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$468 per airplane. Based on these figures, the total cost impact of the required modification on U.S. operators is estimated to be \$6,590,808 or \$2,268 per airplane. This figure is based on the assumption that no affected airplane owner/operator has accomplished the required modification.

Piper has informed the FAA that parts have been distributed to enough owners/operators to equip 234 of the affected airplanes. Assuming that each set of parts has been installed on an affected airplane, the cost impact of this AD upon U.S. owners/operators of the affected airplanes is reduced by \$530,712 from \$6,590,808 to \$6,060,096.

The FAA's Aging Commuter Class Aircraft Policy

This AD is part of the FAA's aging commuter class airplane policy, which briefly states that, when a modification exists that could eliminate or reduce the number of required critical inspections, the modification should be incorporated.

The intent of the FAA's aging commuter airplane program is to ensure safe operation of commuter-class airplanes that are in commercial service without adversely impacting private operators. The FAA believes that a large number of the remaining 2,672 affected airplanes (2,906 airplanes—234 sets of parts distributed) that will be affected by this AD are operated in various types of air transportation. This includes scheduled passenger service, air cargo, and air taxi.

This AD allows 1,000 hours time-in-service (TIS) after the effective date of the AD before mandatory accomplishment of the design modification. The average utilization of the fleet for those airplanes in air transportation is between 25 to 40 hours TIS per week. Based on these figures, operators of commuter-class airplanes involved in commercial operation will have to accomplish the required modification within 6 to 10 months after this AD becomes effective. For private owners, who typically operate between 100 to 200 hours TIS per year, this allows 5 to 10 years before the required modification is mandatory.

The FAA established the 1,000 hours TIS modification compliance time based on its engineering evaluation of the problem. Among the issues examined during this engineering evaluation were analysis of service difficulty reports, the

difficulty level of the inspection, and how critical the situation would be if cracks occurred in the subject area despite accomplishment of the repetitive inspections.

Usually, the FAA establishes the mandatory design modification compliance time on AD's affecting aging commuter-class airplanes upon the accumulation of a certain number of hours TIS on the airplane. For this action, the FAA is mandating the modification for all operators "within the next 1,000 hours TIS after the effective date of this AD." The total TIS levels of the airplane fleet vary from under 1,000 hours TIS to over 5,000 hours TIS, and annual accumulation rates vary from 50 hours TIS to over 1,000 hours TIS. Establishing a long-term set compliance time of hours TIS accumulated on a Piper Model PA31, PA31-300, PA31-325, or PA31-350 airplane (such as 5,000 hours TIS) imposes an undue burden on the manufacturer of having to maintain a supply of replacement parts for the entire fleet when many airplanes in the fleet may never reach this compliance time.

Instead, the FAA believes that Piper should maintain parts for several years; in this case about 10 years to allow low-usage airplanes time to accumulate the "1,000 hours TIS after the effective date of the AD." The FAA has determined that the compliance time of this AD provides the level of safety required for commuter air service while still minimizing the impact on the private airplane owners of Piper Models PA31, PA31-300, PA31-325, and PA31-350 airplanes.

Regulatory Impact

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the final

evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the Rules Docket at the location provided under the caption ADDRESSES.

List of Subjects in 14 CFR Part 39

Air transportation, Aircraft, Aviation safety, Incorporation by reference, Safety.

Adoption of the Amendment

Accordingly, pursuant to the authority delegated to me by the Administrator, the Federal Aviation Administration amends part 39 of the Federal Aviation Regulations (14 CFR part 39) as follows:

PART 39—AIRWORTHINESS DIRECTIVES

1. The authority citation for part 39 continues to read as follows:

Authority: 49 U.S.C 106(g), 40113, 44701.

§ 39.13 [Amended]

2. Section 39.13 is amended by removing Airworthiness Directive (AD) 80-14-06, Amendment 39-3805, and by adding a new AD to read as follows:

96-10-15 The New Piper Aircraft, Inc. (formerly Piper Aircraft Corporation): Amendment 39-9622; Docket No. 90-CE-63-AD. Supersedes AD 80-14-06, Amendment 39-3805.

Applicability: The following model and serial number airplanes, certificated in any category, that do not have Piper Kit 763 986 incorporated in the area of Wing Station (WS) 147.5:

Models	Serial Nos.
PA31 and PA31-300.	31-2 through 31-8012010.
PA31-325	31-7512006 through 31-8012010.
PA31-350	31-5001 through 31-8052025.

Note 1: This AD applies to each airplane identified in the preceding applicability provision, regardless of whether it has been modified, altered, or repaired in the area subject to the requirements of this AD. For airplanes that have been modified, altered, or repaired so that the performance of the requirements of this AD is affected, the owner/operator must request approval for an alternative method of compliance in accordance with paragraph (f) of this AD. The request should include an assessment of the effect of the modification, alteration, or repair on the unsafe condition addressed by this AD; and, if the unsafe condition has not been eliminated, the request should include specific proposed actions to address it.

Compliance: Required as indicated in the body of this AD, unless already accomplished.

To prevent structural failure under certain load conditions caused by cracked areas at

WS 147.5, which, if not detected and corrected, could result in loss of control of the airplane, accomplish the following:

(a) Within the next 100 hours time-in-service (TIS) after the effective date of this AD, unless already accomplished (compliance with AD 80-14-06), and thereafter at intervals not to exceed 100 hours TIS until the modification required by paragraph (b) or (c) of this AD is incorporated, inspect the outboard flap tracks, wing rib flanges, and the rear spar web on both wings in the area of WS 147.5 by accomplishing the following:

- (1) Lower the flaps to 40 degrees.
- (2) Inspect the attachment of the flap track rib to the rear spar on the inboard and outboard sides of the flap track using 10-power magnification.
- (3) Remove the rectangular access plate from the bottom wing skin. The rectangular access plate is located forward of the wing spar at WS 153.
- (4) Inspect the WS 147.5 rib attachment angle using 10-power magnification.

Note 2: The 100-hour TIS repetitive inspection interval was established to coincide with regularly scheduled maintenance.

(b) If cracks are found during any of the inspections required in paragraph (a) of this AD, prior to further flight, incorporate Piper Kit 763 986 in accordance with the instructions included with Piper Kit 763 986, Revised April 15, 1991, as referenced in Piper SB No. 647A, dated November 24, 1980.

(c) Within the next 1,000 hours TIS after the effective date of this AD, unless already accomplished as required by paragraph (b) of this AD, incorporate Piper Kit 763 986 in the area of WS 147.5. Accomplish this action in accordance with the instructions included with Piper Kit 763 986, Revised April 15, 1991, as referenced in Piper SB No. 647A, dated November 24, 1980.

(d) Incorporating Piper Kit 763 986 as required by paragraphs (b) and (c) of this AD is considered terminating action for the repetitive inspection requirement of this AD.

(e) Special flight permits may be issued in accordance with sections 21.197 and 21.199 of the Federal Aviation Regulations (14 CFR 21.197 and 21.199) to operate the airplane to a location where the requirements of this AD can be accomplished.

(f) An alternative method of compliance or adjustment of the initial or repetitive compliance times that provides an equivalent level of safety may be approved by the Manager, Atlanta Aircraft Certification Office (ACO), Campus Building, 1701 Columbia Avenue, suite 2-160, College Park, Georgia 30337-2748. The request shall be forwarded through an appropriate FAA Maintenance Inspector, who may add comments and then send it to the Manager, Atlanta ACO.

Note 3: Information concerning the existence of approved alternative methods of compliance with this AD, if any, may be obtained from the Atlanta ACO.

Note 4: Alternative methods of compliance approved in accordance with AD 80-14-06 (superseded by this action) are not considered approved as alternative methods of compliance with this AD.

(g) The modification required by this AD shall be done in accordance with the instructions included with Piper Kit 763 986, Revised April 15, 1991. This incorporation by reference was approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies may be obtained from The New Piper Aircraft, Inc., 2926 Piper Drive, Vero Beach, Florida 32960. Copies may be inspected at the FAA, Central Region, Office of the Assistant Chief Counsel, Room 1558, 601 E. 12th Street, Kansas City, Missouri, or at the Office of the Federal Register, 800 North Capitol Street, NW., suite 700, Washington, DC.

(h) This amendment (39-9622) supersedes AD 80-14-06, Amendment 39-3805.

(i) This amendment (39-9622) becomes effective on June 27, 1996.

Issued in Kansas City, Missouri, on May 8, 1996.

Henry A. Armstrong,

Acting Manager, Small Airplane Directorate, Aircraft Certification Service.

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14 CFR Part 39

[Docket No. 95-CE-18-AD; Amendment 39-9626; AD 96-11-01]

RIN 2120-AA64

Airworthiness Directives; Jetstream Aircraft Limited; Jetstream Models 3101 and 3201 Airplanes

AGENCY: Federal Aviation Administration, DOT.

ACTION: Final rule.

SUMMARY: This amendment adopts a new airworthiness directive (AD) that applies to Jetstream Aircraft Limited (JAL) Jetstream Models 3101 and 3201 airplanes. This action requires modifying the automatic airframe de-ice system to allow the wing and tail de-ice boots to automatically operate through one cycle. The present system repeats the wing de-ice boot inflation cycle before starting to inflate the tail de-ice boots. Reports of ice accumulating on the tail faster than the automatic tail de-ice boots inflate on the affected airplanes prompted this action. The actions specified by this AD are intended to prevent excessive ice accretion on the tail or wings of the affected airplanes, which could result in loss of control of the airplane.

DATES: Effective July 2, 1996.

The incorporation by reference of certain publications listed in the regulations is approved by the Director of the Federal Register as of July 2, 1996.

ADDRESSES: Service information that applies to this AD may be obtained from Jetstream Aircraft Limited, Prestwick International Airport, Ayrshire, KA9

2RW, Scotland, telephone (44-292) 79888; facsimile (44-292) 79703; or Jetstream Aircraft Inc., Librarian, P.O. Box 16029, Dulles International Airport, Washington, D.C. 20041-6029; telephone (703) 406-1161; facsimile (703) 406-1469. This information may also be examined at the Federal Aviation Administration (FAA), Central Region, Office of the Assistant Chief Counsel, Attention: Rules Docket 95-CE-18-AD, Room 1558, 601 E. 12th Street, Kansas City, Missouri 64106; or at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC.

FOR FURTHER INFORMATION CONTACT: Ms. Dorenda Baker, Program Manager, Brussels Aircraft Certification Office, FAA, Europe, Africa, and Middle East Office, c/o American Embassy, B-1000 Brussels, Belgium; telephone (32 2) 508.2715; facsimile (32 2) 230.6899; or Mr. Jeffrey Morfitt, Project Officer, Small Airplane Directorate, Aircraft Certification Service, FAA, 1201 Walnut, suite 900, Kansas City, Missouri 64105; telephone (816) 426-6932; facsimile (816) 426-2169.

SUPPLEMENTARY INFORMATION:

Events Leading to the AD

A proposal to amend part 39 of the Federal Aviation Regulations (14 CFR part 39) to include an AD that would apply to JAL Jetstream Models 3101 and 3201 airplanes was published in the Federal Register on February 21, 1996 (61 FR 6583). The action proposed to require modifying the automatic airframe de-ice system to allow the wing and tail de-ice boot systems to automatically operate through one cycle. Accomplishment of the proposed modification would be in accordance with Jetstream Service Bulletin 30-JK 12033, Revision No. 1, dated October 20, 1995.

Interested persons have been afforded an opportunity to participate in the making of this amendment. Due consideration has been given to the one comment received.

Comment Resolution

The commenter supports the proposal, but recommends that the final rule not become effective until after May 1, 1996. The commenter explains that this is necessary to ensure parts delivery and subsequent scheduling of the modification within the compliance time. The issuance of this AD is well after May 1, 1996, and the subsequent effective date of the final rule gives this commenter ample time to accomplish the modification.

No comments were received regarding the FAA's determination of the cost impact on the public.

After careful review of all available information related to the subject presented above, the FAA has determined that air safety and the public interest require the adoption of the rule as proposed except for minor editorial corrections. The FAA has determined that these minor corrections will not change the meaning of the AD and will not add any additional burden upon the public than was already proposed.

Cost Impact

The FAA estimates that 260 airplanes in the U.S. registry will be affected by this AD, that it will take approximately 5 workhours per airplane to accomplish the required action, and that the average labor rate is approximately \$60 an hour. Parts cost approximately \$50 per airplane. Based on these figures, the total cost impact of the AD on U.S. operators is estimated to be \$91,000. This figure is based on the assumption that no owner/operator of the affected airplanes has accomplished the required modification.

Jetstream has informed the FAA that parts have been distributed to owners/operators to equip approximately 22 of the affected airplanes. Assuming that each set of parts is installed on an affected airplane, the cost impact of this AD upon U.S. owners/operators of the affected airplanes is reduced \$7,700 from \$91,000 to \$83,300.

Regulatory Impact

The regulations adopted herein will not have substantial direct effects on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government. Therefore, in accordance with Executive Order 12612, it is determined that this final rule does not have sufficient federalism implications to warrant the preparation of a Federalism Assessment.

For the reasons discussed above, I certify that this action (1) Is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034, February 26, 1979); and (3) will not have a significant economic impact, positive or negative, on a substantial number of small entities under the criteria of the Regulatory Flexibility Act. A copy of the final evaluation prepared for this action is contained in the Rules Docket. A copy of it may be obtained by contacting the